

UNITED STATES GOVERNMENT
MEMORANDUM

DATE: June 2, 1998

FROM: Arthur I. Steinberg
Administrative Law Judge

SUBJECT: CIB Docket No. 98-46
Keith Perry, Leander, TX

TO: OPA, ROD, Reference Center

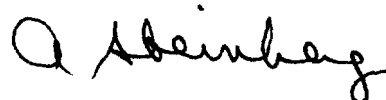
RECEIVED

JUN - 8 1998

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

We received in the mail today the enclosed Respondent's Response to Compliance and Information Bureau's Request for Admission of Facts and Genuineness of Documents and Demand for Jurisdiction/Authority, Information from Federal Communications Commission, and Notice of Challenge and Disclaimer of Same.

These documents, which appear to be originals, are forwarded to you for inclusion in the docket in this proceeding.



Arthur I. Steinberg

**Before the
Federal Communications Commission
Washington D.C. 20554**

In re)
) CIB Docket No. 98-46
KEITH PERRY)
Leander, Texas)
)
Order to Show Cause Why a)
Cease and Desist Order Should Not Be Issued)

To: Federal Communications Commission
Washington, D.C.

**RESPONDENT'S RESPONSE TO COMPLIANCE AND INFORMATION
BUREAU'S REQUEST FOR ADMISSION OF FACTS
AND GENUINENESS OF DOCUMENTS**

I, Keith Perry, Respondent in the above cited cause of action, was unable to find the allegedly enclosed copies of Sections 1.47 and 1.246 of the Commission's rules in the above referenced request. Respondent, not being an attorney, hopes that the response provided herein meets requirements of your office.

1. Respondent is buying residence located at 607 Osage Drive, Leander, Texas, but does not own it.
2. Respondent does not direct or control any other person. Actions of other parties are their own responsibility. Respondent is unable to find a definition of having "operated" a radio station in 47 USC or 47 CFR. Respondent, having once been licensed as an amateur radio operator, believes that to "operate" a radio station means to apply power causing a transmitter to emit radio frequencies. Respondent denies having applied power to a transmitter exceeding 47 CFR Part 15 regulation limits.
3. Respondent does not direct or control any other person. Actions of other parties are their own responsibility. Respondent is unable to find a definition of having "operated" a radio station in 47 USC or 47 CFR.
4. Respondent does not direct or control any other person. Respondent is unable to find a definition of having "operated" a radio station in 47 USC or 47 CFR. Respondent denies having applied power to a transmitter exceeding 47 CFR Part 15 regulation limits. Operation of a transmitter at stated power levels did not occur in February, 1997.

5. Respondent was advised orally by agents of the FCC that operation of a radio station without a license was a violation of the "rules". Respondent does not admit that FCC rules are Federal Law.
6. Admitted.
7. Respondent disconnected the power to the transmitter after being threatened that the FCC agents would return with U.S. Marshals and force me to disconnect power. Respondent considers this coerced action, not voluntary action. Respondent perceived this to be a threat of deadly force.
8. Admitted.
9. Admitted.
10. Admitted in part. The letter referenced in this item was not enclosed in its entirety. Attachments are missing.
11. Since the FCC did not refute points made in the reply (Attachment C), it can be assumed that if radio transmissions did resume, the transmissions would be breaking no law over which the FCC had jurisdiction.
12. Respondent does not direct or control any other person. Actions of other parties are their own responsibility. Specific authorization of actions not specifically prohibited by law in a free nation can be assumed to be authorized, or not to require authorization.
13. Respondent does not direct or control any other person. Actions of other parties are their own responsibility. Default authorization can be assumed from the FCC's failure to refute the points in Attachment C. No license is held by Respondent, nor is one apparently required for transmissions of the type in question.

Sincerely,



Keith Perry
607 Osage Drive
Leander, Texas (78641)

CERTIFIED DEMAND FOR FCC JURISDICTION

Respond within 10 days to:

Keith Perry
607 Osage Drive
Leander, Texas (78641)

Federal Communications Commission
Washington, D.C. 20554

Dated: May 29, 1998

DEMAND FOR JURISDICTION/AUTHORITY, INFORMATION FROM FEDERAL COMMUNICATIONS COMMISSION, AND NOTICE OF CHALLENGE AND DISCLAIMER OF SAME.

PLEASE TAKE NOTICE that the undersigned does hereby demand that the FEDERAL COMMUNICATIONS COMMISSION hereby advise the undersigned, forthwith, as to each and every claim of Jurisdictional Authority the FEDERAL COMMUNICATIONS COMMISSION (hereinafter called the FCC) enjoys and/or otherwise claims to have/provide jurisdiction and/or Authority over the undersigned. This to also include, but not to be limited to: Constitutional, Statutory, Contract and/or Merchant Law(s).

Said information is necessary to enable the undersigned to adequately prepare a meaningful and affirmative defense to the charges, allegations, and/or penalties imposed and/or threatened in the within case (CIB Docket No. 98-46), thus protecting the undersigned's rights to Due Process and Equal Protection.

The undersigned is informed and believes the FCC is operating under a SECRET JURISDICTION and, as such, is operating unlawfully.

Without knowledge of Jurisdiction, the undersigned cannot, and does not know under which Jurisdiction he must, prepare his defense. To keep the undersigned insulated from knowledge of Jurisdiction has, in effect, insulated undersigned from undersigned's Rights to Due Process, Equal Protection, and access to the courts, in which the undersigned desires to redress undersigned's grievance(s). Such is a violation of 43 USC (1983), and/or 18 USC 241 and 242, under which sections this Sovereign will sue, should this matter prevail.

Should the FCC claim Contract Law/Jurisdiction, I do hereby demand to know what contract (including, but not limited to title, date, witness(es) thereto, and all parties thereto) I have knowingly and willfully entered into to provide any such alleged Jurisdiction. Also, please take notice that should any such contract(s) currently exist, I DO HEREBY RESCIND MY SIGNATURE(S) ON ANY SUCH CONTRACT(S) AND DO CHALLENGE SAME.

It is a principle of law that, once challenged, the person asserting Jurisdiction MUST PROVE THAT JURISDICTION TO EXIST AS A MATTER OF LAW.

See:

GRIFFIN v. MATTHEWS 310 F.Supp 341, 423 F.2d 272

MCNUTT v. G.M. 56 S. CT 780, 80 L.Ed. 1135

BASSO v. U.P.L. 495 F.2d 906

THOMSON v. GASKIEL 62 S.CT. 673, 83 L.Ed. 111

Please note that Jurisdiction has now been challenged. By this, and the supporting documents, I await your written proof of Jurisdiction.




Keith Perry

CERTIFICATE OF SERVICE

I, Keith Perry, certify that I have, on this 29th day of May, 1998, sent by registered mail, return receipt requested, and by regular U.S. mail, a copy of the foregoing, "Respondent's Response to Compliance and Information Bureau's Request for Admission of Facts and Genuineness of Documents" and "Certified Demand for FCC Jurisdiction" to:

Administrative Law Judge Arthur I. Steinberg
Federal Communications Commission
2000 L Street, N.W., Suite 228
Washington, D.C. 20554

A handwritten signature in cursive script, appearing to read "Keith Perry".

Keith Perry
607 Osage Drive
Leander, Texas (78641)